

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

20351-20400

[Approved by the Acting Secretary of Agriculture, Washington, D.C., December 1, 1933]

**20351. Misbranding of radium ointment. U.S. v. 11 Jars of Radium Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28366. Sample no. 9565-A.)**

The product involved in this action was represented to be a radium preparation; the radium content of the article, however, was found to be negligible, any therapeutic effects resulting from its use being dependent upon other drugs present.

On June 9, 1932, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 jars of radium ointment, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about May 5, 1932, by the Denver Radium Service, from Denver, Colo., to Norfolk, Va., and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted essentially of potassium carbonate, small proportions of isopropyl alcohol, quinine and volatile oils such as camphor, eucalyptol and menthol, soap, paraffin compounds, water, and a radioactive substance. The radium content was 13.4 millimicrograms per gram.

It was alleged in the libel that the article was misbranded in that its name, "Radium Ointment", was misleading, since it contained drugs other than radium, upon which drugs the therapeutic effect of the article would be dependent and not upon radium, since the radium content was negligible.

On November 10, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20352. Adulteration and misbranding of Or-Aid. U.S. v. 33 Packages of Or-Aid. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28954. Sample no. 4964-A.)**

Examination of the drug product Or-Aid disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. It also was claimed for the article that it would destroy germs and bacteria, whereas it would not destroy germs and bacteria when used as directed.

On September 27, 1932, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 33 packages of Or-Aid, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about June 16, 1932, by Warner's Renowned Remedies Co., from Minneapolis, Minn., to Milwaukee, Wis., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Or-Aid \* \* \* Or-San Co., Minneapolis, Minn."

Analysis of a sample of the article by this Department showed that it consisted essentially of zinc chloride, zinc sulphate, boric acid, and water, colored